

SPECIAL CITY COUNCIL MEETING
MARCH 16, 1987

PRESENT

Ruth Hansen
Craig Greathouse
Don Dafoe
David Church
Neil Dutson
Gayle Bunker

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Dorothy Jeffery
Richard Waddingham
Bryce Ashby
Neil Forster
Susan Callister
Virginia Taylor
Rita Byrd
Robert Pendray
Robert Droubay
Nathan Clark
Rusty Morris
Stephen Stoddard
Darin Bunker
Doug Corey
James Greathouse
Kevin Losee
Jason Harris
Nathan Maw
David Lisonbee
Jared Willoughby
Kirk Willoughby
Mitch Anderson
Jason Stefanoff
Arlan Bennett
Nathan Stefanoff
Mike Anderson
Jake Anderson
Casey Yates
H. Doyle Bender
Steven Bender
David Bender
Susan Madsen

City Manager
City Recorder
City Attorney
Fire Chief
Public Works Director
Assistant Recorder
City Clerk
Billing Clerk
Pendray Subdivision
Planning & Zoning Chairman
Troop 144
Troop 144
Troop 144
Troop 148
Troop 144
Troop 934
Troop 140
Troop 140
Troop 144
Troop 140
Troop 146
Troop 146
Troop 143
Troop 143
Troop 143
Troop 143
Troop 143
Troop 140
City Treasurer

Daniel Madsen	Troop 934
Mike Ogden	
Ben Turley	Troop 934
Mike Reece	Troop 934
Jake Walker	Troop 151
Nathan Tenney	Troop 151
Ryan Tippetts	Troop 151
Burke Taylor	Troop 144
Roger Young	Chief of Police
Paul Mitchell	Police Officer
Morris Burton	Police Officer
Lily Dawson	Parks & Recreation
Edith Anderson	City Resident
Lyndon Callister	City Resident

Mayor Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held February 23, 1987, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member David Church MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held February 24, 1987, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Craig Greathouse. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The proposed minutes of a special City Council meeting held March 2, 1987, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Gayle Bunker MOVED that the minutes be tabled to allow Thorpe Waddingham to make corrections regarding the motor fuel tax issue. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or

questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

CITY RECORDER DOROTHY JEFFERY: TRANSFER OF MONEY FROM THE RECORDER'S DEPARTMENT INTO THE CITY HALL GENERAL FUND TO COVER COMPUTER PROGRAMMING EXPENSES

Mayor Hansen asked City Recorder Dorothy Jeffery to discuss with the Council a requested transfer of funds between departments under the current fiscal year budget.

Mrs. Jeffery requested authorization from the City Council to transfer \$2,000 from Account Number 10-4144-0130 (Temporary Salary) in the Recorder's Department to Account Number 10-4160-1040 (Computer Programming) in the City Hall General Fund. Mrs. Jeffery said that the money to be transferred is to cover computer programming expenses.

Council Member David Church MOVED to approve the request for authorization to transfer funds. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment in the amount of \$74,549.61. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

The Council reviewed the Delta City Fire Department accounts payable. Following a brief discussion of the accounts payable, Council Member Craig Greathouse MOVED that the Delta City Fire Department accounts payable be approved for payment in the amount of \$388.69. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

FIRE CHIEF BRYCE ASHBY: 1987 FIRE DEPARTMENT OFFICERS

Mayor Hansen asked Fire Chief Bryce Ashby to present the newly elected Fire Department Officers for 1987 for Council's consideration and approval.

Chief Ashby presented the following 1987 Fire Department Officers:

Chief
Asst. Chief
Captain
Lieutenant
Secretary/Treasurer

Bryce Ashby
Lynn Ashby
Steve Riding
Hale Jeffery
Ron Day

Following a brief discussion, Council Member Neil Dutson MOVED to approve the 1987 Delta City Fire Department Officers as presented. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

CHIEF BRYCE ASHBY: 1987 UTAH FIREWORKS ACT

Mayor Hansen asked Chief Bryce Ashby to discuss with the Council the 1987 Utah Fireworks Act.

Chief Ashby said that at the present time Delta City does not have a fireworks ordinance but needs to have one prepared and adopted in order to regulate the sale of Class "C" Fireworks in Delta City.

Chief Ashby briefly reviewed the Utah Fireworks Act. Attorney Richard Waddingham informed the Council that the current Fireworks statute, Section 11-31-1 et seq Utah Code Annotated (1953 edition) as amended, sets forth a complete list of all the types of fireworks that can be legally sold, offered for retail sale, or discharged in Utah.

Attorney Waddingham also stated that the adoption of the Fireworks Act by Delta City would allow the City to require licenses and reasonable fees for the retail sale of fireworks.

It was Attorney Waddingham's opinion that the language of the current Fireworks Act should be given a restrictive reading, In as much as it specifically states that a City ordinance or regulation may not be in conflict with the Fireworks Act, and that any provisions in an ordinance contrary to the State statute, would in this instance nullify that ordinance.

Attorney Waddingham also stated that the penalty for violating the Fireworks Act is a Class "B" misdemeanor.

Following further discussion, Council Member David Church recommended that Attorney Waddingham draft a proposed fireworks ordinance for the Council's consideration and approval.

PUBLIC WORKS DIRECTOR NEIL FORSTER: JET VAC BIDS

Mayor Hansen asked Public Works Director Neil Forster to review bids received for a Jet Vac Machine to be used in the Public Works Department.

Public Works Director Neil Forster said that only one bid was received for a Jet Vac Machine and presented a copy of the bid quotation to the Council. The bidder was Majestic Machinery in the amount of \$16,974.

Mr. Forster said that the funds had been budgeted under the current fiscal year budget, to allow for the purchase of the Jet Vac.

Following a brief discussion, Council Member David Church MOVED to award Majestic Machinery the bid for a Jet Vac Machine in the amount of \$16,974. Council Member Gayle Bunker SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: EQUIPMENT TRAILER BIDS

Mayor Hansen asked Public Works Director Neil Forster to review bids received for a transport trailer to be used in the Public Works Department.

Public Works Director Neil Forster said that eight bids were received for a transport trailer and presented a copy of bid quotations from each dealer to the Council. The apparent low bidder was Delta Sports Center in the amount of \$6,544.

Mr. Forster said that the funds had been budgeted under the current fiscal year budget and were also available for the purchase of the transport trailer.

Following a brief discussion Council Member Craig Greathouse MOVED to award Delta Sports Center the bid for a transport trailer in the amount of \$6,544. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: AIRPORT CRACK SEAL PROJECT BIDS

Mayor Hansen asked Public Works Director Neil Forster to review bids received for the Airport Runway Improvement Project - Crack Seal Project.

Public Works Director Forster said that two bids were received for the Airport Crack Seal Project and presented a copy of bid quotations from each company to the Council. The apparent low bidder was Maxwell Products Inc. in the amount of \$29,890.

Following a brief discussion, Council Member Craig Greathouse MOVED to award the Airport Crack Seal Project to Maxwell Products Inc. in the amount of \$29,890. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mr. Forster said that the Airport Crack Seal Project is scheduled to start as soon as the weather permits. It would possibly start as early as next week. He also said that the crew for the project will consist of Roy Wood from the Public Works Department, two temporary people from Job Service, and one person from Maxwell Products Inc.

ROBERT DROUBAY/ROBERT PENDRAY: PLAT "N" PENDRAY SUBDIVISION

Mayor Hansen recognized Mr. Robert Droubay, Chairman of the Planning & Zoning Commission, and Mr. Robert Pendray and asked them to present Plat "N" of the Pendray Estates Subdivision. Mr. Robert Pendray displayed a map of Plat "N" and explained that it has been approved by the Planning and Zoning Commission and by City Engineer John Quick. He also said that the water and sewer lines are in place, but are not shown on the plat map.

Attorney Waddingham posed questions regarding the title of the property indicating that the Delta City Subdivision Ordinance and Construction Schedules required a current title opinion from a licensed title company showing the person dedicating the property described on the final plat to be the title owner.

Mr. Pendray indicated that such a search had not been conducted, but steps would be taken immediately to obtain a title opinion.

Attorney Waddingham also stated that the final plat must contain information showing utility company approval for each utility company that is or will be providing utility service to the subdivision. Specifically, it would require the signatures of Utah Power & Light Co., Contel, and Insight Communications Inc. Mr. Pendray indicated that he would obtain the signatures of the Utah Power & Light Co. representative, and would be obtaining Sheldon Cannon's signature on behalf of Contel, the following morning, Tuesday, March 17, 1987.

Mr. Pendray indicated that Acton had attempted to lay cable in the subdivision. However, those services were apparently never completed. Attorney Waddingham informed Mr. Pendray that Insight's signature was still needed prior to final approval.

Following a brief discussion, Council Member Don Dafoe MOVED to approve Plat "N" of the Pendray Estates Subdivision. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the

motion. There being none, she called for a vote. The motion passed unanimously.

CITY ACTIVITY REPORT

Mayor Hansen said that Wally Church, representing the local Car Club, said that if the City would buy the materials to build restroom facilities in the City Park, the Car Club would provide the labor.

Mayor Hansen said that she received a copy of House Bill 72, Handicapped Group Home Zoning, that was enacted during the last session of the Utah Legislature. Mayor Hansen said that she has given the information she received to Attorney Waddingham and has instructed him to prepare an ordinance regarding House Bill 72.

City Recorder Dorothy Jeffery said that Kirk Lewis of Sahara Motors has requested permission to hold a Business Day on Saturday, April 11, 1987, on the old football field.

CITY MANAGER JIM ALLAN: DELTA CITY FY 1987-88 BUDGET

Mayor Hansen asked City Manager Jim Allan to lead the Council in the budget work session and review the Delta City's FY 1987-88 budget proposal concepts for the General Fund.

Mr. Allan presented the revenue and expenditure budget concepts and requested guidance from the City Council on possible service and funding levels to be achieved. The following proposed revenues and expenditures were discussed:

SUBJECT: Expenditure Summary for Fiscal Year 1988
3-16-87

<u>DEPARTMENT</u>	<u>1987 BUDGET</u>	<u>1988 BUDGET</u>	<u>% CHANGE</u>
Mayor/City Council	29,556	20,940/22,440	-29%/-24%
Judicial	7,456	7,805	+ 5%
City Manager	42,146	34,830/17,416	-17%/-59%
Treasurer	27,455	26,578	- 3%
Recorder	36,096	29,623	- 18%
City Attorney	81,536	49,100/39,421	-40%/-52%
City Hall	148,777	97,575/90,175	-35%/-39%
Planning	2,100	-0-	-100%
Police Department	354,532	240,820/197,047	-32%/-44%
Fire Department	29,801	-0-	-100%
Building Inspector	7,860	3,750	- 52%
Streets	176,759	90,670/64,576	-49%/-63%
Solid Waste	69,945	54,450	- 22%
Engineering	4,200	-0-/2,400	-100%/-43%
Park & Park Areas	108,688	63,549/16,851	-42%/-85%
Recreation	72,324	46,322/-0-	-36%/100%
Celebrations	7,770	6,154	- 21%
Library	46,186	36,447	- 21%
Intergovernmental	13,303	-0-	-100%
Trans. to other funds	-0-	49,987	+100%
Airport	8,960	8,650	- 3%
Irrigation	21,359	11,204	- 48%
Storm Drainage	<u>23,382</u>	<u>-0-</u>	<u>-100%</u>
	1,320,192	877,910/684,974	-34%/-48%

3-16-87

Forecast 1
Proj. 1988Forecast 2
Proj. 1988TAXES

General Property Tax	109,330	112,890
Delinquent Prior Year	5,512	5,512
General Sales and Use Tax	204,765	218,570
Franchise Tax	82,418	109,967
TOTAL:	402,025	446,939

LICENSES

Business Licenses & Permits	17,891	17,891
Building & Equipment Permits	5,234	5,234
Animal Licenses & Fees	1,316	1,949
Off Site Improvement Permits	300	300
TOTAL:	24,741	25,374

INTERGOVERNMENTAL

Fed. Alcohol/Drug Hwy Safety	-0-	-0-
Federal Shared Revenue	-0-	-0-
State Grants	-0-	2,000
Class C Road Fund Allotmt	50,500	50,500
State Liquor Fund Allotmt	9,000	11,000
County Fire Dept. Subsidy	4,200	5,000
TOTAL:	63,700	68,500

CHARGES FOR SERVICES

Crossing Guard Reimbursemt	1,400	1,400
Parks & Recreation Fees	33,855/-0-	38,000/-0-
Airport Fees, Lease & Rental	4,680	6,500
Airport Fuel Sales	535	500
Filing & Chkg Bldg Plan Fees	-	-
Irrigation Fees	1,702	1,702
Road Encroachment Fees	-	1,000
Zoning/Subdiv. Processg Fees	-	-
Solid Waste/Landfill Fees	54,450	54,450
TOTAL:	96,622/62,767	103,552/65,552

FINES AND FORFEITURES

Court Fines	11,295	16,943
Bail Forfeitures	5,536	8,304
Bail on Traffic Citations	-	-
Small Claims Filing Fees	380	380
Library Fines & Fees	2,000	2,826
TOTAL:	19,211	28,453

MISCELLANEOUS

Interest Earnings	4,725	4,725
IPA Impact Allev. Funds	-0-	-0-
Sale of Fixed Assets/Matls	-0-	-0-
Sundry	5,200	5,200
Appropriated Fund Balance	90,000	90,000
TOTAL:	99,925	99,925


GRAND TOTAL: 706,224/672,369 772,743/734,743

The budget for each department was discussed in detail after which Council Member Craig Greathouse MOVED that the Council meet in closed session at 9:30 p.m. for the purpose of discussing personnel matters. The motion was SECONDED by Council Member Don Dafoe. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Following discussion of Delta City personnel, Council Member Neil Dutson MOVED to reconvene to special City Council meeting at 11:23 p.m. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mayor Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member Neil Dutson MOVED to adjourn. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously. Mayor Hansen declared the meeting adjourned at 11:25 p.m.


RUTH HANSEN, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: 3-23-87